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C O N F I D E N T I A L HAVANA 000739

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E.O. 12958: DECL: 12/14/2019
TAGS: PREL, CASC, CU
SUBJECT: STRIDENT GOC PROTEST OF USINT AND OTHER MISSIONS,
OBSERVATION OF HUMAN RIGHTS DAY EVENTS

REF: HAVANA 736

Classified By: COM JONATHAN D. FARRAR FOR REASONS 1.4 (B) AND (D)

1. (C) Summary. Foreign Ministry (MINREX) summoned COM on December 12 to protest USINT observation of Human Rights Day activities in Havana. The meeting was the latest of several recent GOC efforts to put the USG on the defensive in our bilateral relationship. COM gave a low-key but firm response to MINREX, noting that USINT officials and programs are consistent with the Vienna Conventions and with the explication of USG policy by PDAS Craig Kelly on the margins of our bilateral Migration Talks last July. USINT recommends Department consider a similar response to CUBINT in Washington. COM took the opportunity of the meeting to also raise the issue of consular access to detained Amcit and was told we will get access this week. End Summary.

2. (C) COM received a phone call Saturday morning from

MINREX North American Affairs Director Josefina Vidal to request he come to the Ministry at 1:00 p.m. to meet on an unspecified topic. Due to scheduling constraints, COM asked to move the meeting to 12:30 p.m., and went to MINREX with Vice-Consul Jessica Norris. The meeting at MINREX was with Vidal and North American Affairs officer Eduardo Martinez (notetaker).

3. (C) Vidal gave COM a diplomatic note (scanned and faxed to WHA/CCA) protesting in strong language the activities of USINT's two human rights officers, Dale Lawton and Kathleen Duffy (an EFM employee). The note focuses on the Human Rights Day activities on December 9-10 in Havana and complains that the "participation" of USINT officers at such events is incompatible with the Vienna Conventions. The note is confrontational in tone, with references to "counter-revolutionaries, subverting internal order, and interference in internal affairs." While the note was confrontational, Josefina Vidal's tone was less so, an interesting aspect as she is capable of vitriol when she believes the occasion warrants.

4. (C) In response, COM said the note was inaccurate in asserting that USINT officers had participated in public activities. Our officers were properly there as observers along with other foreign diplomats. Vidal responded that no one had appointed the United States as an observer in Cuba, and that the Cuban government had noted an increase in such USINT activities and programs. She said CUBINT officials would never meet with opponents of the U.S. Administration or participate in public protests. She added that the other missions who were observing would also be called in (we have verified that the UK and FRG were called in, and are checking on others. We also understand that some of the news agencies were called onto the carpet by the GOC for their coverage of the events). In response, COM said that USINT and its officials were following the same policies and programs that had been outlined by WHA PDAS Craig Kelly at the Migration Talks in New York, and that these are normal activities for any US mission.

5. (C) Vidal then read from a Note Verbale (which she declined to provide) complaining about what she described as three earlier incidents with USINT officials: a visit by Poloff Duffy to Cuban blogger Yoani Sanchez's house, a visit by P/E Counselor Monserrate and Poloff Lawton to the house of opposition leader Vladimiro Roca during a hunger strike by Roca, Marta Beatriz Roque and others (during which they facilitated access for a doctor to check on the hunger strikers) and an unspecified incident when EFM Human Rights Officer Duffy and visiting relatives were visiting with a Cuban (not specified) whom the GOC views as a counter-revolutionary (we believe the reference is to a child's birthday party they attended at the house of Independent Teachers Union head Roberto de Miranda). COM responded that we have the right as diplomats to visit any private house to which we're invited, within our travel

restrictions. Vidal's reply was that the GOC wasn't talking about just "any house," but rather those of "counter-revolutionaries and mercenaries." Vidal also said such activities by visitors are incompatible with MINREX's facilitation of visas for USINT family visitors (a reference we interpret as a not-so-veiled threat to restrict such visas). COM repeated that visits by USINT staff who have been invited to the homes of private Cubans are a normal diplomatic practice.

6. (C/NF) Cuban television on December 11 ran a video report on Human Rights Day which, with creative editing, linked USINT officials at Human Rights Day events to Posada Carriles and to international terrorism. COM discussed in USINT section heads' meeting December 14 and later with P/E staff the implications of the protest note and other recent GOC activity. RSO noted in the section heads' meeting an increase recently in suspected surveillance of USINT officials. For now, staff are advised to exercise caution and consider fully their outreach activities and the potential that a planned activity could be misconstrued willfully by the GOC. USINT will temporarily limit its distribution of electronic outreach materials to safeguard our Cuban interlocutors and USINT personnel.

7. (C) Consular Access: COM took the opportunity while at MINREX to raise the issue of consular access to the detained Amcit arrested on December 5. December 12 marked one week since USINT was notified of his arrest, and USINT had sent two diplomatic notes requesting access to him without response. Josefina Vidal said she had acted upon the first note but hadn't seen the second (Comment: it is unlikely she had not seen the second note). Vidal said she had forwarded the first note to the Ministry of Interior as an urgent matter as it is not a normal case. COM responded that we need access to him per international conventions. Vidal responded that we would get access this week.

8. (C) Comment and action request: Saturday's protest is the latest in a series of what are fairly aggressive responses or initiatives by the GOC in the past week (the Amcit arrest and non-access to that individual, and last week's protest of USCG sea rescue and aircraft patrol flight). USINT's sense is that the GOC feels it has some momentum on its side and is pushing to see what concessions it might extract from the USG. USINT recommends that the Department consider calling in CUBINT COM Bolanos to underscore that USINT's officers are operating properly and under instructions. Such a demarche should be businesslike and need not be belligerent or confrontational but would underscore to the GOC that such unfounded, public accusations will not pass unnoticed.

9. (SBU) As COM and Vice-Consul were departing MINREX, COM mentioned to Vidal that we were working on a response to the GOC protest note earlier in the week on the USCG rescue of

the crew of the Columbine. Vidal asked if they would get the
U.S. response by the end of this week, and COM said yes.
FARRAR

=====CABLE ENDS=====